

**TOWN OF DEERPARK  
TOWN BOARD MEETING  
MONDAY, JANUARY 26, 2009**

Meeting was held at Town Hall, 420 Route 209, Huguenot, New York 12746

**Attendance:**

**Supervisor:** Gary Flieger

**Councilmember's:** Karl Brabenec, Viola Sinsabaugh and Liam O'Neill (9:05pm)

**Attorney:** William Bavoso

**Call to Order 7:30PM**

**Pledge of Allegiance**

**Opening Remark's from the Supervisor:**

We have a couple of things I'd like to bring about here, one thing I'm pretty excited about is Phil Chase has been recognized by Field and Stream Magazine as a hero to our conservation. It's this magazine that's out for this month and it's an event sponsored by Toyota and he's done so much for us with the rivers and keeping the water flowing to keep the habitats where they belong, to promote fisheries, it's a long time he's been doing this and hopefully he'll be able to continue doing this for a long time to come; so my hat's off to Phil Chase. Next, we have a little something that I was very happy to see that came out of Ed Diana's office; it has to do with our taxes.

**Karl Brabenec:** Read the memo from Orange County Executive Ed Diana's Office regarding a program providing free preparation of tax returns.

**Gary Flieger:** Flo, could we get that posted in our building here and I will get it posted down in the senior center.

**Motion to approve minutes**

Motion made by Gary Flieger, 2<sup>nd</sup> by Viola Sinsabaugh, to approve the minutes of meetings from December 29, 31, 2008 and January 5, 22, 2009.

**VOTE: 3 AYES: Viola Sinsabaugh, Karl Brabenec and Gary Flieger**

**MOTION CARRIED**

**Motion to pay bills**

Motion made by Gary Flieger, 2<sup>nd</sup> by Viola Sinsabaugh, to pay the bills that contain the signature or initials of at least three councilmember's in the approval for payment section of the voucher or purchase order.

**VOTE: 3 AYES: Viola Sinsabaugh, Karl Brabenec and Gary Flieger**

**MOTION CARRIED**

General Fund Abstract # 1 Voucher #'s 1-59 in the amount of \$482,840.58  
Highway Fund Abstract # 1 Voucher #'s 1-26 in the amount of \$141,435.83  
Street Lights Abstract # 1 Voucher # 1 in the amount of \$282.91  
Engineer Fees Abstract # 1 Voucher #'s 1-2 in the amount of \$1,962.78  
Attorney Fees Abstract # 1 Voucher #'s 1-5 in the amount of \$550.50

**Gary Flieger:** I do want to mention that Liam is not here, he just called me before the meeting, he has a family emergency and he will be coming in later on if at all possible.

**Public Comment – 3 Minutes, Agenda Items Only:**

None

**Correspondence:**

**Grant for School House Museum**

**Gary Flieger:** I worked with Norma on this one and at the last minute we put everything together and it was great working with her, she's quite a lady, we put a grant together to replace the stairs that are damaged going into the Historical Schoolhouse/Museum, and the grant is for \$8,125.00 and we have been awarded that grant. We also looked into something on that on the Upper Delaware that we have to look into a little bit more tomorrow, it was something that happened back in 2007 that a grant was put together but the paperwork was never finished, and that one too is for around \$8,000 and we got, through some phone calls today, we have to do some more with that, and hopefully that will come through for us, and that was put in for the Sparrowbush Park with the walkways and some other things, we don't have all the details together on it, we're just starting to put it together, so hopefully that money is still available to us, so we'll see where that goes.

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**New Business:**

**Resignation of DCO**

**Gary Flieger:** Our Dog Control Officer has resigned. **Viola Sinsabaugh:** Read the letter of resignation.

**Motion to accept resignation**

Motion made by Karl Brabenec, 2<sup>nd</sup> by Viola Sinsabaugh, to accept the resignation of Richard Ryan as the Dog Control Officer for the Town of Deerpark.

**VOTE: 3 AYES: Viola Sinsabaugh, Karl Brabenec and Gary Flieger**

**MOTION CARRIED**

**Appointments for Reorganization**

**Motion to appoint Building Inspector Clerk**

Motion made by Gary Flieger, 2<sup>nd</sup> by Viola Sinsabaugh, to re-appoint Judy Carr as Part time Clerk for the Building Inspector's Office at a rate of \$10.83 per hour.

**VOTE: 3 AYES: Viola Sinsabaugh, Karl Brabenec and Gary Flieger**

**MOTION CARRIED**

**Motion to appoint Emergency Management Clerk**

Motion made by Gary Flieger, 2<sup>nd</sup> by Viola Sinsabaugh, to re-appoint Joyce Cirulli as Part time Clerk for the Emergency Management Committee at a rate of \$12.11 per hour.

**VOTE: 3 AYES: Viola Sinsabaugh, Karl Brabenec and Gary Flieger**

**MOTION CARRIED**

**Motion to appoint Emergency Management Coordinator**

Motion made by Gary Flieger, 2<sup>nd</sup> by Karl Brabenec, to re-appoint Jack Flynn as Emergency Management Coordinator.

**VOTE: 3 AYES: Viola Sinsabaugh, Karl Brabenec and Gary Flieger**

**MOTION CARRIED**

**Motion to appoint Court Clerks**

Motion made by Viola Sinsabaugh, 2<sup>nd</sup> by Gary Flieger, to re-appoint Regina Tenke as Court Clerk to Judge Tufano at a rate of \$12.56 per hour and to re-appoint Mary Lou Witkowski as Court Clerk to Judge Osowick at a rate of \$11.73 per hour.

**VOTE: 3 AYES: Viola Sinsabaugh, Karl Brabenec and Gary Flieger**

**MOTION CARRIED**

**Motion to appoint Secretary to PB, ZBA, BAR, PC**

Motion made by Gary Flieger, 2<sup>nd</sup> by Viola Sinsabaugh, to re-appoint Barbara Brollier as Secretary/Clerk to the Planning Board, Zoning Board, Board of Assessment Review and Police Commission at a rate of \$13.33 per hour.

**VOTE: 3 AYES: Viola Sinsabaugh, Karl Brabenec and Gary Flieger**

**MOTION CARRIED**

**Motion to appoint Website Administrator**

Motion made by Gary Flieger, 2<sup>nd</sup> by Karl Brabenec, to re-appoint Noel Malsberg as Website Administrator at \$100.00 per month.

**VOTE: 3 AYES: Viola Sinsabaugh, Karl Brabenec and Gary Flieger**

**MOTION CARRIED**

**Motion to appoint Delegate and Alternate to Upper Delaware Scenic Byway**

Motion made by Gary Flieger, 2<sup>nd</sup> by Karl Brabenec, to re-appoint Norma Schadt and Burt Thelander as Delegate and Alternate the Upper Delaware Scenic Byway.

**VOTE: 3 AYES: Viola Sinsabaugh, Karl Brabenec and Gary Flieger**

**MOTION CARRIED**

**Motion to accept salary for Town Attorney**

Motion made by Gary Flieger, 2<sup>nd</sup> by Viola Sinsabaugh, to accept the yearly salary of the Town Attorney of \$35,120.04 per year.

**VOTE: 3 AYES: Viola Sinsabaugh, Karl Brabenec and Gary Flieger**

**MOTION CARRIED**

**Motion to appoint Highway Clerk**

Motion made by Gary Flieger, 2<sup>nd</sup> by Viola Sinsabaugh, to re-appoint Pat Conroy as the Highway Department Clerk at a rate of \$11.03 per hour.

**VOTE: 3 AYES: Viola Sinsabaugh, Karl Brabenec and Gary Flieger**

**MOTION CARRIED**

**Gary Flieger:** Next week we should be able to complete the liaisons to each of the departments.

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**New Business Continued:**

*Donation of used printers and computers to Leland Hach:*

Gary Flieger: We have equipment here in the town, the procedure for getting rid of equipment is pretty tough and we have equipment that is defunct, we have some computers, I believe, and what we have is a young man who refurbishes these computers for the Harmony Christian School Junior National Honor Society, and what they do is they hand out computers after he works on them to kids, the only thing he needs is enough memory in them so that they have internet and a word program, and that's all he installs in them and then the printers. We have some default printers that are giving us constant troubles, we've had them fixed, the one we've bought new drums for, it's a \$500 printer and the drums are \$140 each, so we can't invest that much money into that anymore so we've replaced that printer already, and Leland is also interested in those printers. At the next meeting we'll be looking to do this, if you have any computers at home that just aren't up to standards and you would like to get rid of them please give me a call and I'll see if Leland is interested in taking them off your hands. The reason I even brought this to your mind is we're picking computers and monitors up off of the roads and taking them to the County for disposal but it's costing us a lot of money. So I'm really looking into that and I went over it with Mr. Bavoso today and he has written up some paperwork to help us speed this along and we'll be bringing that up to our next meeting to see where we can go with that.

**Old Business:**

*Hazard Mitigation Plan*

Gary Flieger: We were hoping to be able to go along with a board decision on that, and that's not a town board, that is the board for the people that are doing the hazard mitigation for us, Jack Flynn, Joyce Cirulli, TJ Kalin, Ed Hughson, I'm on it, it's a very large board; they've gone over many of the bids on this and have narrowed it down to a couple, some of the bids have some language in them that we need clarified before we offer a bid, so I'm not going to bring that out, we were hoping to have that done by tonight but it just didn't happen.

**Department Head/Committee Reports:**

Flo Santini: The past couple of days I've been saying to myself 'something's not right', if you see there, Local Law 62, meetings of the town board, the town board of every town shall meet on or before the 20<sup>th</sup> day of January in each year for the purpose of making the annual accounting by town officers and employees as required by section 123 of this chapter, if we go to section 123 it tells you this, so now town law was just broken because now it's the 26<sup>th</sup>. Duties of the Supervisor, except where duties specified here are devolved upon a town comptroller the supervisor of each town shall have the following duties; it goes on to say about one of Karl's biggest things, about the checks and the invoices and the vouchers, goes right here, it says in a town where there is no comptroller no money shall be paid out by the supervisor except upon the warrant, order or draft of the town clerk, that means what I tried to explain to you at the last meeting of the voucher system and how we do it. The Monthly Statements, I also explained at the last meeting, I will give due cause where due cause is, when I explained for six years that I've been after the supervisor's to give me a monthly report of expenditures, of checks, what's been paid and I've always been told no and what you've got is all you need; I found town law that says 'where the town supervisor willfully refuses to furnish a monthly report he may be removed from office' I don't have to worry about that now because I do get it, but I will make it clear that it comes from the accountant, in this section it does say supervisor, the supervisor does have the accountant do that and as I brought out my books and showed everybody that does get done now.

Gary Flieger: It that happened under my term right? Flo Santini: I just said that. Gary Flieger: I'm just wondering why you're wasting our time on what happened in the past. Flo Santini: I'm not wasting your time, because if it does not happen again you will have proof in front of you that the supervisor could be removed because it is the supervisor's job not the accountants. Gary Flieger: I just want to make it clear that this office here has been doing it since the beginning.

Flo Santini: No it hasn't don't push it. Also your organizational meeting, any of your town laws says it should be the first meeting of the town, I don't know about this town board, but the financial situation we're in, and legally, Mr. Lombardi you've just taken this down that we've just broken town law again, that we've been paying employees in this town that haven't been approved for their positions, and it's going to be noted that I have not given them their oath of office because of that fact, the judges have come in to me constantly and I will not give nobody and oath of office, tomorrow I will, they have thirty days to come in and get it, but you have been paying people for the past month without the approval in the positions where they would be. Last but not least, school, January 12<sup>th</sup>'s meeting, I was told to come back because there might be a discussion about school, we know that there's been a problem and we have a problem with finances in the school, but if you look at the past two meetings, you will see that a lot of time and effort goes into Flo and school and everything, Liam's motion at the January 5<sup>th</sup> meeting was for the Town Clerk to write to the department heads and have them get back to the board with what it would cost for them to go to school, I did that, I have the copy of what I sent to them; that night we sat around the table and Liam said how come nobody else did, I said I'm just telling you what I did, this is for one person, this is for two people, I can't tell you what anybody else did. Vi said well what about so and so and Liam said nobody else got back to us so we're only going to approve Flo and Jane. Then you said at the end of the meeting, the tape was turned off but we all know what took place, you asked me to call Jane Lord and ask her if she wanted to go to school but nobody else because she has an apartment down there so all you would have to pay for is her registration. So right now you have Jane Garvey, myself and

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Jane Lord going to school; I did ask Skip Wilson if he told his planning board members about school and he said yes he did; so you all know I did my job. Viola Sinsabaugh: When you went to the Building Inspector, when you went to the Highway Superintendent, what did you ask them? Did you ask for anything from them? Flo Santini: I wrote a memo that said that the town board wanted to know what it would cost you to go to school and to give a detailed report and to please get back to me. I have the memo. Viola Sinsabaugh: And did they get back to you? Flo Santini: Not one. Gary Flieger: I'd like to do another summary on that same meeting, when it was brought up, I don't have the exact numbers with me but if I remember correctly it was \$550, maybe almost \$600 per person if they shared a room. Flo Santini: Yes, that's what the board approved for Jane and I to go. Gary Flieger: And yes the town is obligated to supply you with education, as the note from Mr. Bavoso states, but if you talk to the Association of Towns there are so many other routes of education to get this, the Building Inspector can pick up 18 credits down there, what he did last year was he got almost 30 some credits for less money than that; that price was for sharing a room and if you didn't share a room it was \$750 or so for those 18 credits, and he still would need 6 more credits after that, he needs 24 credits, he got 30 credits for less money than that last year. Last year the planning board, they need 6 credits, I asked Association of Towns, they're giving a course twice in New Paltz, it's a one day thing, there's no hotel rooms, it costs the town \$60 per person not \$550 or \$600 to get their certification; we don't have the money for this, when I asked the Association of Towns what can my Town Clerk pick up here, they said the Town Clerk can pick up all sorts of stuff, they said this is the best time for it because she can get it all in one shot. I said but if we can't afford it is this the end deal and there's no way she can ever get educated again, they said no, your town clerk goes to the Association of Towns, she goes to the meetings. Flo Santini: I feel so special, you spend all this time on me, maybe if you looked at town law we would have a meeting by the 20<sup>th</sup> to do what you were supposed to do. Gary Flieger: I included the Building Inspector and the Planning Board when I called them, and every time you bill us.... Flo Santini: How much time does the Building Inspector have to take off to go to school and what does it cost the town... Gary Flieger: Flo I'm trying to talk here... Flo Santini: No sir this is my time here, if you want to rebut me you do what ever you want to do once I sit down, but maybe if you did your job we have to be coming up here and me telling you that the 20<sup>th</sup> we should have had a meeting here with all the department heads, but no you spend more time on me, which I should be so impressed with, trying to knock me down well you know what buddy you aren't going to do it because the calls into the comptroller's office and the attorney generals office because if that was there where you could be removed from office for one thing I'm going to see if it's done for something else, and I told you once before, if you think the building inspector is saving you money by not going to school how many days does he have to take off here to go to other classes, you add all of them for \$100 a day for 18 days, that's like \$1,800 you do the bookkeeping on that to see what it's costing the town, stop coming after me, because I'm putting you on notice, and I put you on notice before, and if you don't think I could do it try me. Viola Sinsabaugh: Flo I want just to say one thing, all this information that you gave us tonight is appreciated but I have one question to ask you, did you bring this to Gary before tonight? Flo Santini: No. Viola Sinsabaugh: Okay that's all I wanted to know thank you very much. Gary Flieger: I would like to go back to the fact of what Association of Towns said that the guest speakers that are down in New York City are also at her Town Clerk's meetings that cost us her travel time, plus a dinner once a month, she gets the same education during the year at her Clerk's meetings on a monthly basis, so we also have to pay for that again. It just seems that other departments are very concerned about the budget and that's where it lays. Karl Brabenec: Just a question, I believe it's subsection 62, it says the requirement for the annual accounting shall not apply to a town having a town comptroller, nor to a town which prior to the 20<sup>th</sup> day of January shall have engaged the services of a certified public accountant, the fiscal year ended December 31<sup>st</sup> so does the board have time to do an annual audit according to this article because obviously there was no meeting that was done on the 20<sup>th</sup>. Bill Bavoso: If you decided that you wanted to employ a CPA, to do this by the end of February you could do that. Gary Flieger: Is this information you've seen before tonight's meeting Bill? Bill Bavoso: I think Karl brought up some of that, I know it exists, but I just got the same handout tonight that you got. Karl Brabenec: I know we did this last year so I don't understand why it wasn't done this year, but to rectify the problem should we advise the town accountant to do an annual audit, obviously we cannot call a meeting to do this because it's past the 20<sup>th</sup>? Bill Bavoso: You can do that if you want to, it just wont be before the 20<sup>th</sup> day. Gary Flieger: This is something that we haven't forgot; it's something we just didn't get to yet. It is important, we have the department heads come down and we sit down and go over the books of each department head. Viola Sinsabaugh: There's one other thing I want to say, Mr. Bavoso it's in regards to a letter that I have that came from your office about training, it says the towns obligation to pay for training courses, so everybody really gets what's going on here hopefully, read the letter; now in reading this letter my interpretation is the town is responsible for actual and necessary expenses incurred for training, it doesn't say where you go to get the training, it just says training will be given by the Association of Towns, I think what Mr. Flieger is stating, and I happen to go with that, that training is offered elsewhere where all this expense would not have to be paid out, so I just wanted to clarify this, it doesn't say you must go to the Association of Towns and you must stay over night and what have you, training is offered elsewhere throughout the year, so just remember that. Gary Flieger: And it's not only given by the Association of Towns it's given by other training programs at a much lesser price, and that's what I'm trying to say here, I'm trying to save money and she's trying to spend money. Viola Sinsabaugh: I think the fact is that there are ways to save the town money and this is what Gary is trying to bring out. Karl Brabenec: I think we need to make some kind of motion as far as doing some kind of annual accounting because it needs to be done. Gary Flieger: It's going to be done.

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Karl Brabenec: Well we need a motion for a special meeting of the town board, because the town board has to be present for this. Gary Flieger: Do you know how to put it together? What has to happen is each of the department heads come down with their books, are you going to be available Tuesday? Karl Brabenec: That's tomorrow. Gary Flieger: We'll do it tomorrow, are you going to be available on Wednesday? Karl Brabenec: You need notice though. Gary Flieger: I'm sure their books are up to date, are you going to be ready on Thursday? Can you be here Thursday Karl? It has to do with Board members being here. Karl Brabenec: No. Gary Flieger: Are you going to be here Friday? Karl Brabenec: I'll have to take a personal day at some point to do it. Gary Flieger: This is what it takes; we need to have three members here. You're putting me on the spot here, so when can you be here? Karl Brabenec: Can we do it on a Saturday? Flo Santini: If you can get the department heads here. Karl Brabenec: So that'll be a mandatory thing that the department heads are going to have to come in on a Saturday, we don't have to pay overtime or anything like that so. Gary Flieger: We're looking at the two Judges, Mr. Emerson, Flo, Tax Collector and my office.

Motion made by Karl Brabenec to hold a meeting on Saturday, January 31, 2009 at 2:00PM for the purpose of the annual accounting by town officers as required by section 62 of Town Law.  
No Second

Gary Flieger: Isn't there a morning where you go in to work later in the morning Karl? Karl Brabenec: Yes but I can't do that because I have an hour drive to work, we'd have to be here at like 6:00am. Gary Flieger: Well what time do you have to leave by? Karl Brabenec: I definitely have to leave Deerpark by like 10:00am. Gary Flieger: That's not a problem, this whole operation only take us an hour and a half to two hours to do, we could do it one morning this way we don't have to inconvenience any of our employees, Mr. Emerson can be here by 7:00am, Tony's in early. Viola Sinsabaugh: Well if we have three council people we could do it so if we know the three here can be here. Gary Flieger: And then we're not inconveniencing anybody. Flo Santini: You've got me, Jane...Viola Sinsabaugh: Can you come in earlier? Flo Santini: No. Gary Flieger: You can't get in to work much before 9:00am? Flo Santini: You said 7. Gary Flieger: I said Mr. Emerson starts work at 7:00am; Karl leaves at 10:00am. Flo Santini: You said to start at 7:00am. Gary Flieger: We would, with Mr. Emerson. The Town Clerk doesn't want to come in an hour early to document this, and I think that's to bust our chops a little bit here. Viola Sinsabaugh: Let's wait to get in touch with Liam to see what he can do. Gary Flieger: Even if we start at 8:00am we could still get it done one morning before 10:00am. Karl Brabenec: Can I also ask the town attorney something; something was brought up here, this is kind of news to me, I know I had requested these monthly reports last month because we hadn't been getting them, what happens with this section with the town supervisor not giving these reports? Gary Flieger: I went over those reports that you're asking, those reports are pretty much generated, but not to the level that you want them and I would have to ask Mr. Bavoso if you're entitled to the personal information that you're asking for that would be revealed in each of the paychecks; Karl Brabenec: That's not what I'm asking for. Gary Flieger: Everything else is being done and has been done. Karl Brabenec: The monthly statements of receipts, disbursements and balances that the supervisor is required to file with the town board and the town clerk are public documents which are available to other town officers and members of the public for inspection at the office of the town clerk during regular business hours. Gary Flieger: And that's in the town clerk's office every month, that's handed to the town clerk every month. Karl Brabenec: But I haven't seen these reports. Gary Flieger: Well go ask her, they're in the book, go down there and ask her, they're there. Karl Brabenec: But you haven't filed it with the town board members. Gary Flieger: My job is not to disburse to the town board members, it's her job. Karl Brabenec: No, town law says the supervisor must file it with the town board and the town clerk, what my clarification on what the question is...Gary Flieger: The report is done monthly I give it to the Town Clerk, I guess we'll have to make sure that when I hand it to her she cc's the board. Karl Brabenec: She doesn't cc it to the board, it's the town supervisor that has to furnish it to the town board, that's the duty of the town supervisor. Viola Sinsabaugh: We're getting technical here, if Gary gives you the reports...Flo Santini: I brought the books out, the books are there. Viola Sinsabaugh: Now, question, do you give it to the board in their mailbox? Flo Santini: No, but what I said I was going to do after the first meeting was, the abstract pages will be copied with the minutes when I give them out, that's what I said I would do, and that will come out with the minutes, but it hasn't been done yet because they haven't been done yet. Viola Sinsabaugh: His question is who is going to give that report to us, is it going to be you or... Flo Santini: I said I would give you with your minutes the abstract which shows you what you've approved to be paid out, but we're in a catch 22, you have to sign the bills and approve them before the abstract can be done, that's why you need to come in and look at the bills before the meetings. Gary Flieger: A perfect example of what Flo is talking about is we just had a check for retirement, we didn't get enough signatures on it because there was questions about it, that voucher will not be produced by Flo until I give a satisfactory answer to the board for them to sign it, and that just happened, and it has happened before, and then when I find those details I explain it to the board, then I get my signatures, then it goes on that sheet of paper. Flo Santini: I will not produce and sign the abstract until there are three signatures on the bills, but you wont do that until you see this, but you wont see this until they're done, so you're really in a catch 22.

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**Public Comment – Five Minutes on any Subject:**

**Louise Vandemark:** First of all I'd like to apologize for my behavior Thursday night, but you people ticked me off to absolutely no end, Vi giving me the hand when I asked a legitimate question, I'm sorry I shouldn't have reacted the way I did, but you people shouldn't have done last Thursday night either. At the last town board meeting, I would say for a half hour to 45 minutes this board when on and on how workshops would only be held on the 2<sup>nd</sup> and 4<sup>th</sup> Monday's of the month, you would try this for two months and that was going to be what the board was going to do, all of a sudden my husband comes in here and finds there's a meeting posted, now to me that was deceitful on your part, there was not an emergency, Bob Cunningham has been gone since November, there was really no reason to have that meeting, how you deemed it an emergency I will never know, all I see is deceit and curtains and smoke and mirrors, and I'm really getting very tired of it, you know how I feel about open meetings, you know how I feel about the public's right to know, I feel you're keeping the public out and I personally don't like it, I also don't like the comment that was made to me when I said something about the taxpayers and the residents would care, and I was told by the supervisor that night he doesn't care about the taxpayers, that was his comment. The meeting before that Vi stated she didn't care about the wallets of this town, that's number one on my list. Number two, we are under the scrutiny of the State Comptroller and all I hear is oh we forgot to send the budget on time and oh now we forget to do the audit, what are we nuts? What is wrong? Why haven't we learned? And we're going to sit here and pass the buck and pass the buck, it's time to stop passing the buck, this you cannot blame on the past administration, this goes on your heads, the budget should have been submitted on time, yea I guess we got away with that, and now the audit, give me a break, this stuff has got to stop, we're breaking the law, how in good conscience can you sit up there and pass laws for the rest of us to follow when you can't follow the basic laws and what is your duty to do and I'm sorry, fiscally I think you stink. I saw no big cuts last year, and the other thing, telephone votes, we've had telephone votes going on, I hope everybody understands that's happened here too, town hall was closed the day after new years, does everyone know that a vote was taken by phone that was never brought before this town board to vote on in public. I am seeing so much stuff being done by this town board and I'm really getting very upset over it, and yes I did lose my temper Thursday night, I don't take back my words, I take back how I said my words because I really shouldn't have spoken in anger but when a town board member brings up that we should only have workshops on certain days and I asked that person about it and that person doesn't have the decency to answer me, that's rude. Don't take 40 minutes on something just to turn around and do the opposite a couple of days later, that is bull. This audit, it's a disgrace you didn't do it, it's a disgrace you didn't have the budget up in time to the comptroller's office, and I'm tired of the excuses, and I hope when the comptroller comes down he comes down hard on everybody's heads.

**Dennis Van Sickle:** Tough time to be a board member, a lot of headaches up there, I'm about to give you a migraine; after watching the last televised board meeting I couldn't believe what I was hearing and seeing, this is dejavu all over again, the complete lack of interdepartmental communication, awareness of the agenda, and incredible confusion was, to say the least, inexcusable. I would like to compliment you on a fine performance, what you should be thinking about is creating alternatives to the budget and our deficit, the 34% tax increase, now I hear you Karl 'oh I can't do that' I hear you Gary 'oh that's very time consuming, paperwork's not finished' let me tell you what, we're having another premier performance from you clowns, and when voting time comes we drop the hammer.

**George Lombardi:** One thing on this microphone, when people are up here make sure they talk into here because when Flo's assistant tries to do the minutes, if they don't talk in here it's a nightmare to here, I've gotten a couple of the tapes and if they don't talk into this it's hard to hear. The accountant, in 2006 we paid the accountant about \$7,600 for the years work, in 2007 we paid him \$5,900, last year when you took office we paid him \$26,000 and now we're paying him \$24,000, now all these things that you want, none of you are accountants, now we're paying him almost four times as much and we're getting those papers that Flo said she has that she asked Mark for all those years, if it was town law I still don't understand why it wasn't done and I think maybe some of these things like a lot of you people come in and you don't know all that, but these important things with finances that have to do with money and auditing that the town attorney should advise you on that if it's law, anything that has to with money you've got to make sure you're following town law or we're going to be in a big mess, we already are in a big mess from it not being done before. Now we need an audit and our town accountant who is a CPA can't do it I think you've got to hire somebody to do an audit, it should be done every year. Why Flo asked the previous town supervisor all those years and she didn't make a big stink because obviously at the time she didn't know the town law, and that's what I'm saying if it's a town law and it involves finances I think the town attorney who we pay to sit here should make sure that anything that has to with money and finances and reports that are required by law are done and if we have to hire somebody, a CPA, to do it. The reason I brought up the small amount of money that Rob was paid over those years, he wasn't doing that much work for the town under Mark, now we're paying him plenty of money and now there shouldn't be any excuse for you board members not knowing everything from the accountant, but to blame him for stuff that happened under the previous administration when he only worked a quarter of the time, he works by the hour and he's told by the supervisor what to do, if you didn't give him the assignments to do the work or the law didn't require it he didn't do it because the town didn't want to pay him or show him the figures, everything's got to be transparent. I've been coming here

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for many years and the people haven't been coming to these meetings, it's part of the towns peoples fault too for not keeping an eye and keeping you on your toes and I'm glad to see people coming out now.

Tony Cea: In regard to the audit, if this were done within the legal time frame that's proscribed by law we wouldn't be haggling over a date here tonight, I think one thing all of you have forgotten tonight, maybe Karl might have remembered it when you asked for a Saturday, Gary when you speak of 6 or 7:00am, when you get three or more board members together that's a public meeting, maybe members of the public would like to attend so you're inconveniencing members of the public when they otherwise have to go to work if they have to be here at 7:00am, there's somebody you forgot about, the taxpayer who would like to come out and attend that meeting, it should be in fact on a Saturday at a decent hour not at 7:00am on a workday. The supervisor and the members of the board should obviously develop a better working relationship with the town clerk according to her testimony here tonight, she is the one who is on top of these laws and who shares it with you and if you had a better working relationship, you guys are swinging it out over here tonight rather than cooperating and you're doing a disservice to this town. If our present and previous board members and supervisors have been acting in violation of state law for quite a few years perhaps we should here a motion here tonight for our town attorney to notify the board at any time that he becomes aware that we are not in compliance with any state statute without any board solicitation. The reason I say without any board solicitation, it's no derogatory statement toward the town attorney, but what it does say, I've heard another town attorney that our town attorney doesn't have to volunteer such information to the board unless they solicit it, I think if we make a resolution... Bill Bavoso: Tony, if I am aware that the Board is not doing something I let them know that, I tell them if I know they're doing something wrong or if they haven't done something so I do that. Tony Cea: I appreciate that because I was told by another town attorney that that was not a requirement of the town attorney to in fact inform them and I was shocked to hear that. I think that you might want to reconsider that Saturday date or a night during the week rather than 7:00am on a workday, it's really inconsiderate, that's practically as bad as having a telephone vote. Along the lines of what a previous speaker said, I was here the other night for a meeting that was not well publicized and there were four of us in attendance that night, you opened the meeting and went into executive session, but there might have been a Freudian slip that I heard you say Gary and I've heard Viola say in the past when Mr. Ruszan talked about his crying wallet, you commented that we don't care about your wallet, that's obvious by the 125% tax increase that we got, but also Gary as you walked into the room the other night and Mrs. Vandemark was asking you about the meeting and notifying the public you did say, and it might have been a Freudian slip, we don't care about the public, and you went right into the other room. So I've heard that we don't care about your wallet and we don't care about the public, that's got to stop, you have to care about cooperation with you town clerk, we look like a laughing stock here, I don't know how many people I've seen get up and walk out tonight because there's no coordination, we're always fumbling, let's try and be in compliance with the law, if we should have done and we still have some time to do it let's get it done in coordination with the Clerk and the accountant and any auditor that we need to take care of it and let's get this thing on the proper track within the frame work of the law. I also want to invite you all, all board members including the supervisor, to make a guest appearance on cable channel 23 on Monday night between 9 –10pm, other than board meeting nights, we'd like to have you in so we can put you on the hot seat and ask you questions in front of the viewers so that you can answers those who choose to tune into channel 23, it promises to be a good show and we invite you all.

Jane Garvey: I've been with the town for four years as the bookkeeper/secretary for the Supervisor, I'm the tax collector now for seven years, I've always gone to school, my comment is; I don't know how much money that we're saving by not going to school but comment is everyone on this board should go to school if possible, I think we need it and I think we'll get our money's worth.

**Closing Comments from the Board:**

Gary Flieger: I'd like to start off with Jane's comment that everybody should go to school, I agree, and nobody's lacking procedures more than I am and I have to agree with that, I just have a tough time taking and charging the people tax dollars for my schooling at this time, I really do. I have been doing an awful lot of reading on my own; I do agree that if I went down to the Association of Towns it would be very beneficial to me. I just looked at past records of when everybody went of 6,7,8 thousand dollars to do this. I just have a tough time with it, I do agree that if I had more procedure, education it would be a lot better, I know I would be a lot better up here. Tony, you brought up the Saturday morning, my issue with that was without notifying each of the department heads on if they have obligations, I do know that Mr. Emerson is having some family medical issues and I know some other issues that are going on in here, without knowing their schedule I can't take and set up a meeting, it has nothing to do with us it has to do with them if they don't show up you don't have an audit so I do have to do that, for us to set up a Saturday morning schedule for that without contacting them to see if it's a conflict is in vain, it doesn't work. I do know that they don't have a scheduling problem in the morning because they're already scheduled to be here and if we could get Mr. Brabenec to be here that would be great; if Mr. Bavoso comes back in the morning and tells us we don't need a full board we will have this meeting right away and make this happen as soon as possible. When you talk about this audit, what this audit is more than anything is not sitting down and going number for number to see if there's

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money missing, it's not that, that's already been done, the town accountant, every month, goes over those books and makes sure that one column lines up with the other one and they balance out, that's done every month anyway. What we do at the end of the year is that this procedure closes out the end of the year, what you're doing is you're bringing those department heads in and you're looking at their work that they have done for the year and asking them to sign a commitment that they are proud of the work that they have done and willing to put their name to it. Dennis mentioned about the 2007 \$8,000 in the grant, I wasn't here, that was paperwork that I didn't have and didn't have opportunity to even know existed, I found it today as I have found other things that have happened in the past and I keep digging them up and I follow through with them and I do collect those monies, and that's what this \$8,000 is. The next thing, Louise, you said I don't care about the taxpayers, I do care about the taxpayers and I care about them a lot, what I said was I didn't care about your opinion, maybe it didn't come out that way to you but that's what I meant, I didn't care about your opinion that evening because I had already gotten a ruling from Mr. Bavoso through Vi and we went and had that meeting, it was a legal meeting, and as far as Monday nights we didn't say that we were only going to have meetings on Monday nights we were going to set up meetings on Monday nights to try and get a flow together to try and make something happen so that we have scheduled meetings, that doesn't mean we would never have a meeting any other night other than Monday's.

Viola Sinsabaugh: Tonight, Louise mentioned something, I'd like to get something straight, part of what you're saying is true and part is going to be taken out of context, when I came in the evening that you four people were here there was a notice posted that we were going into executive session, when I approached the building, the meeting was for 7:30pm, I don't care if you want to rip me up or take me down that's okay you can do that, but I'm going to say what happened, when I came in I think it was 7:32, I was running late, I approached the building and you were yelling about Monday nights to me about something and I said I don't know what you're talking about and I kept going and I came in, we opened up the meeting, we went into executive session as I went into executive session you made a comment to me, and I won't repeat the comment, and I turned around and I said thank you and you insisted and made the comment again and I said thank you, I didn't argue with you, I did not do anything in that aspect. I just wanted to clarify that, that meeting was called, I had asked if we could have a meeting because there was a lot of things that had to be done, the 19<sup>th</sup> was a holiday we could not have a meeting then, we were trying to do things for Monday nights, and we went into a meeting, there was no vote taken or anything, we told you people that, I thought the situation was over, I don't need an apology or anything, people, we're humans, we all have opinions, we all have times where we're going to get a little agitated, I understand that. There was a comment by two people made tonight in this audience and I did make the comment but you're taking the comment out of context, at the meeting with Mr. Gabor talking about hearing the strange noise and he couldn't sleep and the whole bit, I think a lot of us, including you Louise, thought it might be the pipeline, we were all taken in by that, I was concerned that there was something going on in the town that was disrupting your life, my question was, to Mr. Gabor, was the first part of your speech true or false and you said it was my screaming wallet, that was not what I was asking you... Gary Flieger: What that's all about is that we're up here and we take everything and everybody's complaint serious because we listen to complaints daily, this our job to take it serious, yes it's very easy to put a joke over on us because we do have concerns and we care about you, and because we care about you is why you were able to put that over on us. Viola Sinsabaugh: Yes that did go over my head because I really thought you were having a problem with noise up in your area, because you have previously come to this board with many complaints. So tonight when the people in this town hear that I said a statement it will not be taken out of context, I didn't say I don't care about everybody's wallet, I said I didn't care your wallet I wanted an answer from you about the validity of the first part of your speech, so now that we got the settled that's what I have to say.

Karl Brabenc: I forgot to bring up the Building Department report earlier, total income for December 2008 was \$5,780.00, there were 16 permits issued and 8 voided permits. I also want to apologize, I got a couple of calls, the website had the next meeting listed instead of this meeting listed so we had the corrected as soon as we found out the error, thank you for those who had contacted me about that. Community Development Task Force, we were supposed to have a meeting tomorrow, we have moved that meeting to February 3, 2009 at 7:30pm. Also, about the Saturday morning meeting that I proposed, just one thing, I work at a place down in New Jersey, I hate working Saturday's, I don't think anybody wants to work on a Saturday, but when my boss says I have to work on a Saturday then I have to work on Saturday, there's really nothing I can do, especially if it's mandated. This is something that the town board needs to do, I don't find a problem saying we need to do this and you need to be here because it's a matter of law. As far as the meetings, the Thursday meeting, my whole position, it was an executive session meeting that involved discussions with the open seat here on the town board, but my position has always been that whenever a vote is taken to fill that position it needs to be done at a regular meeting and it needs to be done at a televised meeting because I think it's very important that the public sees who we appoint to this seat. There's a census article, 2010 census is a great way to earn money now, it's something I will put up on the website, the census bureau is looking to hire thousands of temporary part time census takers for the 2010 census.

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**Motion to have special meeting**

Motion made by Karl Brabenec, 2<sup>nd</sup> by Liam O'Neill, to have a special Town Board meeting on Friday, January 30, 2009 at 3:00PM to do the annual internal audit, and to have the Town Clerk notify all of the department heads.

**VOTE: 4 AYES: Viola Sinsabaugh, Karl Brabenec, Liam O'Neill and Gary Flieger**

**MOTION CARRIED**

**Motion to approve salary**

Motion made by Liam O'Neill, 2<sup>nd</sup> by Gary Flieger, re-appoint and set the salary of the Court Officer, Dean Sinsabaugh, at \$13.31 per hour.

**VOTE: 3 AYES: Karl Brabenec, Liam O'Neill and Gary Flieger**

**1 ABSTAINS: Viola Sinsabaugh**

**MOTION CARRIED**

**Motion to enter Executive Session 9:20PM**

Motion made by Gary Flieger, 2<sup>nd</sup> by Liam O'Neill, to enter Executive Session for the purpose of discussing a matter of personnel in the Building Department, Highway Department and the Police Department, and to invite the Town Attorney.

**VOTE: 4 AYES: Viola Sinsabaugh, Karl Brabenec, Liam O'Neill and Gary Flieger**

**MOTION CARRIED**

**Motion to end Executive Session 10:38PM**

Motion made by Liam O'Neill, 2<sup>nd</sup> by Karl Brabenec, to end Executive Session and re-enter Regular Session.

**VOTE: 4 AYES: Viola Sinsabaugh, Karl Brabenec, Liam O'Neill and Gary Flieger**

**MOTION CARRIED**

**Motion to adjourn the meeting 10:38PM**

Motion made by Liam O'Neill, 2<sup>nd</sup> by Karl Brabenec, to adjourn the meeting,

**VOTE: 4 AYES: Viola Sinsabaugh, Karl Brabenec, Liam O'Neill and Gary Flieger**

**MOTION CARRIED**

Respectfully submitted by,

Florence T. Santini  
Town Clerk